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July 15, 2008

VIA TELEFAX - 212-805-6382

Honorable Victor Marrero
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

RE: Fortis Corporate Insurance a/s/o Empire Resources, Inc. v.
Total Quality Logistics, Hills Trucking, Inc.
Index No.: 07 Civ. 3731 (VM)
Our Ref.: 07-E-002-RB/LS

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED 7-15-08

Dear Honorable Marrero,

We represent plaintiff in the referenced matter. Subsequent to the last conference, we expected defendants to contact us to settle this matter before the next conference. The undersigned has attempted to contact Canal's New York counsel on four (4) separate occasions, to no avail.

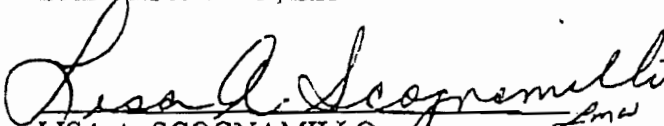
In order not to waste the Court's time and to discourage defendants from appearing by counsel who lack knowledge of the case and are without authority to settle, we respectfully request that the conference currently scheduled for July 18, 2008 at 10:00 A.M. be briefly post-poned. We also respectfully request that defendants be directed to appear at the next conference with their principals in order for settlement discussions to be fruitful.


We wish to advise the Court that the undersigned will be unavailable during the week of July 28, 2008.

We thank the Court for its kind attention to this matter.

Respectfully submitted,

BADIAK & WILL, LLP


LISA A. SCOGNAMILLO

Request GRANTED. The next settlement
conference herein is rescheduled to 7-25-08
at 2:30 p.m.. The parties are directed
to appear with principals authorized to
SO ORDERED, enter into binding settlement.
7-15-08
DATE 
VICTOR MARRERO, U.S.D.J.

cc: See List Below

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